

REMARKS

The present application has been reviewed in light of the Office Action dated September 23, 2008. Claims 69-91 are presented for examination, of which Claims 69, 79, and 89 are in independent form. Claims 69, 72, 79, 82, and 89 have been amended to define aspects of Applicants' invention more clearly. Favorable consideration is requested.

The Office Action states that Claims 69-73, 75-83, and 85-89 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,552,813 (*Yacoub*); that Claims 74 and 84 are rejected under § 103(a) as being unpatentable over *Yacoub* in view of U.S. Patent No. 5,978,560 (*Tan et al.*); and that Claims 90 and 91 are rejected under § 103(a) as being unpatentable over *Yacoub* in view of European Patent Application Publication No. 0 529 692 (*Murakami*). For at least the following reasons, Applicants submit that independent Claims 69, 79, and 89, together with the claims dependent therefrom, are patentably distinct from the cited prior art.

The aspect of the present invention set forth in Claim 69 is directed to an information processing apparatus for controlling via a communication medium a peripheral that processes a job, which executes a predetermined service. The apparatus includes: (1) an obtaining unit adapted to obtain, via the communication medium, function information that includes information indicating plural setting values executable by the peripheral; (2) an issuance unit adapted to issue a job in response to a user instruction; and (3) an inhibition unit adapted to, if at least one of the plural setting values of the job related to the user instruction does not satisfy a predetermined condition related to the plural setting values indicated by the function information obtained by the obtaining unit, inhibit issuance of the job by the issuance unit. The

inhibition unit allows issuance of the job by the issuance unit, if the plural setting values of the job satisfy the predetermined condition.

Notable features of Claim 69 are that the issuance unit issues a job in response to a user instruction, that the inhibition unit inhibits issuance of the job by the issuance unit, if at least one of the plural setting values of the job related to the user instruction does not satisfy a predetermined condition related to the plural setting values indicated by the function information obtained by the obtaining unit, and that the inhibition unit allows issuance of the job by the issuance unit, if the setting values of the job satisfy the predetermined condition. By virtue of these features, a print job is prevented from being issued to a selected printer, if print job settings are determined to be incorrectly set, for example.¹

Yacoub is directed to a virtual printer for print jobs printed on networked printers. *Yacoub* discusses that options for speed and quality are presented for selection by a user, and that a server finds appropriate printers for each of these speed and quality settings, without the user making a selection (see col. 5, lines 22-27). *Yacoub* also discusses that, if a fast job is preferred and also a color job is preferred, then only printers that are both fast and can print in color will be determined as appropriate printers (see col. 5, lines 27-30). That is, *Yacoub* merely discloses automatically selecting, from among a plurality of printers, appropriate printers that comply with the use's print job preferences. Apparently, the Examiner asserts that, because printers that are not capable of performing required functions are not chosen for a print job, the print job is inhibited from being issued to these printers. However, as *Yacoub* is understood by Applicants,

^{1/} The example(s) presented herein are intended for illustrative purposes only. Any details presented in the illustrative example(s) should not be construed to limit the scope of the claims.

if a user selects a printer for printing a print job, the print job is sent to the printer without being inhibited. That is, the virtual printer disclosed by *Yacoub* does not inhibit a print job from being issued to a printer that is selected by the user.

Nothing has been found in *Yacoub* that is believed to teach or suggest an information processing apparatus that includes “an issuance unit adapted to issue a job in response to a user instruction,” and “an inhibition unit adapted to, if at least one of the plural setting values of the job related to the user instruction does not satisfy a predetermined condition related to the plural setting values indicated by the function information obtained by the obtaining unit, inhibit issuance of the job by the issuance unit, wherein the inhibition unit allows issuance of the job by the issuance unit, if the plural setting values of the job satisfy the predetermined condition,” as recited in Claim 69. Accordingly, Applicants submit that Claim 69 is patentable over *Yacoub*, and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). A review of the other art of record, including *Tan et al.* and *Murakami*, has failed to reveal anything that, in Applicants’ opinion, would remedy the deficiencies of *Yacoub*, as applied against the independent claims herein.

Independent Claims 79 and 89 include features similar to those of Claim 69 and are believed to be patentable over *Yacoub* for at least the reasons discussed above. Additionally, the other claims in the present application depend from one or another of independent Claims 69, 79, and 89, and therefore are submitted to be patentable over the art of record for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual consideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable consideration and an early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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